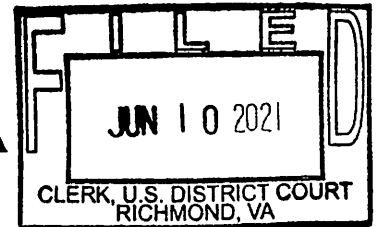


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**



**MOTION TO AMEND AMENDED COMPLAINT FILED JUN 3 4, 2021
FOR EMERGENCY INJUNCTIVE HEARING**

**TIMOTHY CLATE PHIPPS I
SHEILA "SAMM" TITTLE**

Civil Action No. 3-21cv346

Plaintiffs

V.

VIRGINIA STATE BOARD OF ELECTIONS, et al

V.

**MARK R. HERRING
VIRGINIA ATTORNEY GENERAL**

Defendants

FILED
2021 JUN 10 P 1:38
CLERK US DISTRICT COURT
RICHMOND, VIRGINIA

**MOTION TO AMEND AMENDED COMPLAINT FILED JUN 3 4, 2021
FOR EMERGENCY INJUNCTIVE HEARING**

COMES NOW Plaintiffs Timothy Clate Phipps I & Sheila "Samm" Tittle to the Honorable Court of Madame Justice Hannah M. Lauck, whereby were given "Leave to Amend", effective 06/01/2021. The previous Amendment in the Submission and Agreement to "Leave to Amend" by Judge Lauck recognized the "Standards of Review, Section A. Obligation to Liberally Construe *Pro se* Pleadings, and the *pro se* complaint, however inartfully pleaded, must be held to less standards than formal pleadings drafted lawyers".

1. Therefore under the Ghostwriting Form in accordance with Local Civil Rule 83.I(M), we respectfully supplicate this Honorable Court's indulgence to recognize "without Prejudice" that Plaintiffs Timothy Clate Phipps I and Sheila "Samm" Tittle, still not Lawyers and regrettably underfinanced to obtain any; do complain humbly to the

Court that under the 14th Amendment we have been treated very badly based on Discrimination and Predjudice by first the Governor of Virginia, Ralph Northam who put in place hard and reckless mandates shutting down of the entire State of Virginia churches, businesses, activities, events, and all other cooperating aspects, same date as the Democrat Party's Primary Election of June 08, 2021. While Mr. Mark Herring, Attorney General, shut down his facility early on Friday June 04, 2021 we also lost time in getting our Case heard due to having to process the Notice to Serve late that day and the Post Office still having trouble delivering the Mail. The Virginia State Board of Elections, *et al*, were served and will again be served the "Amend the Amended Ballot Access". .

2. Whereby Federal Rule of Civil Procedure 65 requires that a "Preliminary injunction is 'an extraordinary remedy that may only be awarded upon a "clear showing" that the Plaintiff is entitled to such relief."

"This plaintiff should be awarded upon a clear showing that the Plaintiff is entitled to such relief; by sharing with this Honorable Court the grave significance of gaining Virginia Gubernatorial Ballot Access in the EVIDENCE PROPOUNDED BY THE FOLLOWING FACT: * "Mr. GEORGE LEE SCOTT will be NINETY (90) years old February 13th, 2022, a Resident of Freeman, Virginia, the Campaign Captain of the 4th & 5th Congressional Districts, further non-stop walking THROUGHOUT Emporia Virginia, Population 65% Black 35% other to show them that THROUGH THEIR 1st, 4th, 14th Amendments; especially the Fourteenth (14th) that of "EQUAL PROTECTION UNDER THE LAW" ~ "if THEY worked hard for the SIGNATURES to get PHIPPS/TITTLE ON THE GENERAL ELECTION BALLOT "they THE UNDERPRIVILEGED" could "get an underdog LIKE THEMSEVLES Ballot Access to SEE THEIR NAMES ON THE BALLOT TO VOTE FOR THEIR CHOICE OF "TC PHIPPS" for Governor, "SHEILA SAMM TITTLE" for LT.Governor. Mr. Scott who is a Lifetime 33RD Degree Inspector General Honorary Mason for which they have proven themselves to be Outstanding Members of Society walked to prove to the Youth "if they found Favor in their Candidate and appreciated what they heard they could be Voters; but in this Case when the Court gives them their 14th Amendment Equal Protection under the Law; they WILL SEE THEIR CANDIDATE ON THE VIRGINIA GOVERNOR'S GENERAL ELECTION BALLOT". That Mr. Scott Professed!

*** SEE PHOTO EVIDENCE: Mr. Geeorge Lee Scott, Union Baptist Church, Emporia Virginia (4th Congressional District)**

3. The Constitution Party of Virginia is a "Recognized Political Party" under Virginia State Law however we are discriminated against and in violation of the 14th Amendment. The Constitution Party of Virginia with limited resources and :

4. Therefore the Plaintiff's "Motion to Amend"; the standing Law Suit requires to be heard in an Emergency Injunctive Hearing; because the Virginia Board of Elections is facing the filing and printing of the NAMES ON THE BALLOT for Governor, Lt. Governor and Attorney General, for the General Election November 02, 2021.

5.

It behooves THIS HONORABLE COURT and for the entire Country, that our Judicial System especially on behalf of the Electorate be represented by The Constitution of the United States of America which demands it "Preserve Protect & Defend against all enemies foreign and domestic to include the Democrat and the Republican Party(s) of the United States. The Rights of all citizens of the United States need not be discriminated against or have their Voting Rights obstructed by Rules, Regulations changes in the Political arena by a two party system which today is separating and dividing the People but should be upheld through fair and honest ADJUICATION THROUGH this Honorable Court in the Eastern District of Virginia;

WHEREBY; your humble servants, the Plaintiffs pray this Honorable Court will be sastisfied with the total Ballot Signatures collected up to June 08, 2021 entry into the Virginia Board of Elections; in the names of TC PHIPPS (Timothy Clate Phipps I) and Sheila "Samm" Tittle in total keeping in light of the fact that COLLECTING of the Ballot Signatures are UNCONSTITUTIONAL and absolutely UNFAIR based on the fact that the Republican Party did not have to collect even one, while the Democrat a LARGE WELL KNOWN party and incumbent had the Labor, base workers and monies of which to hire the people those finding .

The Plaintiffs pray they ARE DISMISSED FROM THE TOTALING OF THE BALLOT SIGNATURES, FURTHER DAMAGES and in FINAL JUDGEMENT and under Court Ordered by this Honorable Court gaveled by the Honorable Lauck be PLACED IN PRINT ON THE GENERAL ELECTION BALLOT FOR November 02, 2021 upholding ALL OF THE PLAINTIFF'S Constitutional Rights. UNDER many of the U.S. Constitution Amendments; however especially under the Fourteenth (14th)Amendment the INJURED PARTIES are seeking to get RELIEF & REMEDY from an Unconstitutional State law to obtain signatures working to gain ballot access while the Republican Party was not required to obtain even one single signature to obtain ballot access as they have done. That is not Equal Rights for all, but special privileges for some. Plaintiffs Justice through the Plaintiff/s Constitution Rights.

Respectfully submitted:



6-9-2021

Timothy Clate Phipps I,



Sheila "Samm" Tittle,

Dated: June 09, 2021

NOTICE OF SERVICE OF PROCESS

MARK R. HERRING, Attorney General of Virginia

Date:

**CAROL L. LEWIS (VSB #92362
(HAND DELIVERED June 04, 2021
Office of the Attorney General of Virginia
202 North Ninth Street, Richmond, Virginia 23219
804-692-0558
Attorney for Respondent/s**

Date:

**State of Virginia Board of Elections, et al (HAND
DELIVERED June 04, 2021)
1100 Bank Street
1st Floor
Richmond, Virginia 23219**

**TIMOTHY CLATE PHIPPS I, *Pro se*
82 Grove Lane
Fredericksburg, VA 22406
772-919-1574**

6-9-2021

JUNE 09, 2021

**SHEILA "SAMM" TITTLE, *Pro se*
82 Grove Lane
Fredericksburg, VA 22406**

June 09, 2021

JUNE 09, 2021

PERSONAL SERVICE:

BEING UNABLE TO MAKE PERSONAL SERVICE, A COPY WAS DELIVERED TO:

DATED: _____